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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/976,813

10/12/2001

Edward Larue Stull

010809-0003-999

4122

20583

7590

10/13/2006

JONES DAY

222 EAST 41ST ST

NEW YORK, NY 10017

EXAMINER

PRIETO, BEATRIZ

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

|                          |                 |              |              |
|--------------------------|-----------------|--------------|--------------|
| <b>Interview Summary</b> | Application No. | Applicant(s) |              |
|                          | 09/976,813      | STULL ET AL. |              |
|                          | Examiner        | Art Unit     | 1 of 7 pages |
|                          | Prieto B.       | 2142         |              |

All participants (applicant, applicant's representative, PTO personnel):

- (1) Prieto B. (Prim Ex). (3) STULL, EDWARD LARUE (Inventor).  
 (2) SHENTOV, OGNJAN (Reg. No. 38, 051). (4) LENTZ, ROBERT JOHN (Inventor).

Date of Interview: 10 October 2006.

(5) JACKSON, THOMAS G (Att'y)  
Power to inspect (attached)

Type: a) ☐ Telephonic b) ☐ Video Conference  
 c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Software implementation/execution of the inventive product.

Claim(s) discussed: 1, 13, 27 and 44.

Identification of prior art discussed: Boggett (US 6,581,054).

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Reminders

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

*Beatriz Prieto*  
**BEATRIZ PRIETO**  
**PRIMARY EXAMINER**  
 Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant requested a personal interview faxing required written request/agenda to discuss the claim limitation(s) noted thereon (see attached). Inventors presented a demonstration of the product and discussed features and/or aspects of the invention which they believe are distinguishable over the prior art. The inventors pointed out substantial features/capabilities of the demonstrated software tool which according to their interpretation are not taught by the applied prior art. Examiner provided feedback as to the applied interpretation to the claimed terms "portal" and "view(s)" indicating that the breadth and scope have been fully considered in light of the specification which seems not to have an explicit/controlling definition, to the best of examiner's recollection of the written description. Inventor's indicated that the common use of the term "portal" seems not quite suitable to instant invention because the invention encompasses more than a mere access point of information. Examiner urged applicant to make the necessary amendments to avoid such breadth and thus the applied prior art. However neither parties reached an agreement or how to define portal to somehow bring the scope of the claim a little closer to the inventive concept as presented by the inventors. Examiner was presented with proposed drafted amendments to the claims (for discussion purposes only) to see if these would overcome the prior art of record. However, given that it remains unclear what is a "portal" no comments can be made to proposed claim limitation(s) that contain this term. Emphasis was made by examiner that ALL comments with respect to the applied prior art, and claim interpretation scope/breadth has been provided in good faith to aid applicant, and are merely based on a cursory review, which may be prone to mischaracterization and or misinterpretation and is CONTINGENT to a full examination of specs and all references of record, further consideration and/or search upon applicant's response to latest office communication..

  
BEATRIZ PRIETO  
PRIMARY EXAMINER

### Applicant Initiated Interview Request Form

Application No.: 09/976,813 First Named Applicant: Stull, Edward L., et al.  
 Examiner: Prieto, Beatriz Art Unit: 2142 Status of Application: After Non-final OA

**Tentative Participants:**

(1) Beatriz Prieto (2) Ognjan V. Shentov  
 (3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 09/27/2006 Proposed Time: 10:30AM ☒ AM ☐ PM

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

| Issues<br>(Rej., Obj., etc) | Claims/<br>Fig. #s | Prior<br>Art             | Discussed                | Agreed                   | Not Agreed                          |
|-----------------------------|--------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| (1) <u>Amd.</u>             | <u>1, 27</u>       | <u>U.S. 6,581,054 B1</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (2) <u>Rej.</u>             | <u>44</u>          | <u>U.S. 6,581,054 B1</u> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| (3) _____                   | _____              | _____                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
| (4) _____                   | _____              | _____                    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

Applicants propose to amend claim 1 by incorporating the limitation of claim 13, which is not disclosed or suggested in the art of record. Applicants also propose to amend claim 27 to emphasize the quality control aspect. As to claim 44, applicants believe that the prior art of record does not teach at least "monitoring and recording data source definitions . . . ."  
"storing in a memory location of data source definitions and viewers state . . . ." and "restoring the data source definitions and viewer's state." Applicants invite the Examiner to make any suggestions and recommendations that may advance the prosecution of the application.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

R. Shentov R.N. 38,051  
 (Applicant/Applicant's Representative Signature) (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FRES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



# Facsimile Transmission

222 East 41st Street • New York, New York 10017 • (212) 326-3939  
Facsimile: (212) 755-7306  
ovshentov@jonesday.com

2006 SEP 21 P 3:04 September 21, 2006

Please hand deliver the following facsimile to:

Name: **Beatriz Prieto**

Facsimile No.: **571-273-3902**

Company: **U.S.P.T.O.**

Number of pages (Including this page): **2**

Telephone No.: **571-272-3902**

From: **Ognjan V. Shentov**

Send Copies To:

Direct Telephone No.: **(212) 326-3650**

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CAM No.: **006769-999002**

Re: **App. Ser. No. 09/976,813**

**NOTICE:** This communication is intended to be confidential to the person to whom it is addressed, and it is subject to copyright protection. If you are not the intended recipient or the agent of the intended recipient or if you are unable to deliver this communication to the intended recipient, please do not read, copy or use this communication or show it to any other person, but notify the sender immediately by telephone at the direct telephone number noted above.

## Message:

Examiner Prieto:

Per our conversation yesterday I have attached an Interview Request Form in connection with the above-identified application. Please let us know if the proposed date/time is not convenient, or if you would like us to provide additional detail.

Again, thank you for your time. If you have any questions please call me at 212-326-3650.

Please call us immediately if the facsimile you receive is incomplete or illegible. Please ask for the facsimile operator.

NYJD-1637593v1

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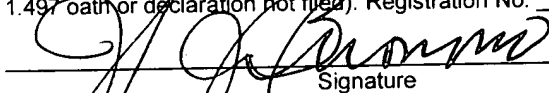
Docket Number (Optional)

In re Application of  
**Stull, Edward L., et al.**Application Number  
**09/976,813**Filed  
**10/19/2001**Art Unit  
**2142**Examiner  
**Beatriz Prieto**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Paper No. \_\_\_\_\_

**Please permit the following person(s) to participate in the Examiner Interview  
on October 10, 2006:**  
Please permit the following person(s) to inspect and make copies of the above identified application:Customer Name(s): **Thomas G. Jackson**

Badge Number(s): \_\_\_\_\_

Company Name (if any): **Phillips Nizer LLP**Telephone Number: **(212) 977-9700**Fax Number: **(212) 841-0765 (DID)**I am an: **(212) 262-5152 (Fax)**☐ Applicant.☒ Authorized official of the assignee of record. The assignment was recorded in the United States Patent and Trademark Office at Reel **012540** Frame **0217**, or for which a copy thereof is attached.☐ Attorney or agent of record. Registration No. \_\_\_\_\_☐ Attorney or agent named in the application papers filed under 37 CFR 1.53, 1.494, or 1.495 (37 CFR 1.63 or 1.497 oath or declaration not filed). Registration No. \_\_\_\_\_  
Signature**10/06/06**  
Date**Joseph J. Buonomo**

Typed or printed name

**President and Chief Executive Officer**

Title (Officer of company or corporate assignee)

**Direct Computer Resources, Inc.**

Name of Assignee, if any (e.g., company name)

**(201) 327-4211**

Telephone Number

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Unit: \_\_\_\_\_

This collection of information is required by 37 CFR 1.14. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



**POWER TO INSPECT/COPY (PTO/SB/67) – CONTINUATION PAGE**

In re Application of: Stull, Edward L., et al.  
Application Number: 09/976,813  
Filed: 10/19/2001  
Art Unit: 2142  
Examiner: Beatriz Prieto

**Additional Participant(s):**

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Initials: 

**POWER TO INSPECT/COPY (PTO/SB/67) – CONTINUATION PAGE**

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